

## REMARKS

Claims 1-3 and 5-20 are pending in this application. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

In the Office Action, claims 1-3, 5-6, 8-10 and 12-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Jayam et al. (US Pub 2003/0115337 A1)(hereinafter "Jayam") in view of Kagan et al. (US Pub 2002/0152315 A1)(hereinafter "Kagan"); and claims 7, 11 and 18 are rejected under 35 U.S.C. §103(a) over Jayam and Kagan and further in view of Buskens et al. (US Patent 5905871) (hereinafter "Buskens"). Applicants respectfully submit that the claimed subject matter is allowable for the reasons that follow.

With respect to independent claims 1, 10 and 15, the claimed invention includes, *inter alia*, "a transmit request handler that receives request events from a requester including a notification of new transmission data posted, ..., based on the notification of new transmission data posted, either schedules a connection in a ready queue or places the connection in a pending queue[.]" (Claim 1, similarly claimed in claims 10 and 15). That is, as discussed in the previous Amendment of 7/20/07, the claimed invention bases use of the queues on a notification of new transmission data posted from a requester. The transmit request handler, based on the notification of new

transmission data posted from the requester, places a connection in the pending queue, i.e., when all of the data therefor has not been received, or places the connection in the ready queue, i.e., when all of the data for the connection is received. The notification acts to have the transmit request handler determine whether a previously incomplete connection is completed by the new transmission data.

As the Office admits, Jayam does not teach this feature. (See Office Action at page 4.) The Office instead relies on Kagan to overcome the deficiency of Jayam. Applicants respectfully disagree with the Office's rejection because Kagan also does not teach the above feature. In Kagan, the descriptor 38 is written to indicate the source of the data to be sent in memory 32 and the destination thereof. (See para. 0046.) Kagan does not disclose or suggest that descriptor 38 indicates that the data transmission is "new" such that descriptor 38 does not function as a notification of new transmission data posted. Note that Kagan does not use the descriptor 38 to indicate whether a previously incomplete connection is completed by the new transmission data.

In addition, in Kagan, "[e]ach QP is preferably assigned in advance to a certain schedule queue, and the assignment is recorded in the QP context." (Para. 0047). To this extent, Kagan does not disclose determining a schedule queue of a QP based on descriptor 38. That is, descriptor 38 of Kagan does not function as the claimed notification of new transmission data posted because the claimed invention "based on the notification of new transmission data posted, either schedules a connection in a ready queue or places the connection in a pending queue[.]" (Claim 1).

In view of the preceding arguments, Applicants submit that Jayam and Kagan fail to disclose or suggest the claimed invention, and thus request withdrawal of the rejection.

Claims 2, 3, 5-9, 11-14 and 16-20 depend directly or indirectly from presumably allowable claims 1, 10 and 15, respectively. Accordingly, Applicants request that the Examiner reconsider and remove the rejections of claims 1-3 and 5-20.

Applicants respectfully submit that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

/Spencer K. Warnick/

Spencer K. Warnick  
Reg. No. 40,398  
(JZ)

Date: November 19, 2007

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14<sup>th</sup> Floor  
Albany, New York 12207  
Telephone (518) 449-0044  
Facsimile (518) 449-0047